



EN-1454

Attorney Docket No. 09792909-5214

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Okawa et al.

Application No. 09/972,375

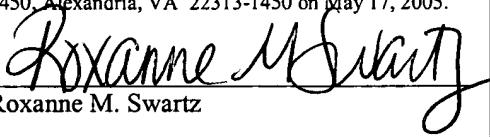
Filed: October 5, 2001

For: NON-AQUEOUS ELECTROLYTE  
SECONDARY CELL WITH A  
LITHIUM METAL PHOSPHATE  
CATHODE

) Group Art Unit: 1745

) Examiner: Mark Ruthkosky

I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 17, 2005.

  
Roxanne M. Swartz

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO DECEMBER 28, 2004 OFFICE ACTION**

Dear Sir:

This Amendment is submitted in response to the Office Action mailed December 28, 2004. Applicants respectfully request amendment of the patent application, and reconsideration and allowance of the pending claims.

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U.S. PATENT & TRADEMARK OFFICE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	10	Application Number	09/972,375
		Filing Date	October 5, 2001
		First Named Inventor	Okawa
		Group Art Unit	1745
		Examiner Name	Mark Ruthkosky

### ENCLOSURES (check all that apply)

- Transmitted herewith is Response to December 28, 2004 Office Action.
- The fee has been calculated as shown below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	13	-	20	0	<input type="checkbox"/> x \$9.00 <input type="checkbox"/> x \$18.00	\$0
INDEPENDENT CLAIMS	1	-	3	0	<input type="checkbox"/> x \$42.00 <input type="checkbox"/> x \$86.00	\$0
	APPLICATION AMENDED TO CONTAIN ANY MULTIPLE DEPENDENT CLAIMS NOT PREVIOUSLY PAID FOR.			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> x \$140.00 <input type="checkbox"/> x \$280.00 ONE TIME	\$0
					TOTAL ADDITIONAL FEE FOR THIS AMENDMENT	\$0

- Applicant petitions the Commissioner for Patents to extend the time for responding to the Office Action dated December 28, 2004 by 2 month(s) for a fee of \$450.00 so that the period for response is extended to May 28, 2005 under 37 C.F.R. § 1.321.
- The amount of \$\_\_\_\_\_ for the Terminal Disclaimer under 37 C.F.R. § 1.321 is included in the enclosed check.
- The amount of \$\_\_\_\_\_ for the Amendment under 37 C.F.R. § 1.312(b) is included in the enclosed check.
- The enclosed credit card payment form to charge the amount of \$450.00 covers the extension fee.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to Account No. 19-3140. A duplicate of this sheet is enclosed.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

14.  Customer No. 26263

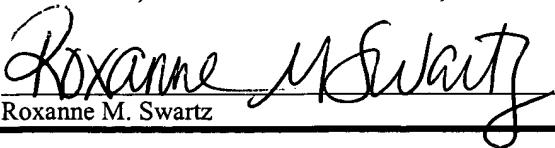
Dated: May 17, 2005

  
David Rozenblat (Registration No. 47,044)

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Dated: May 17, 2005

  
Roxanne M. Swartz